

U.S. Department of the Interior  
Bureau of Land Management  
Little Snake Field Office  
455 Emerson Street  
Craig, CO 81625

## DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2009-0076-DNA

PESTICIDE USE PROPOSAL NUMBER: 09-CO-100-45

PROJECT NAME: Herbicide application to control invasive weeds on rangeland in the Lower Bord Gulch Allotment #04057.

LEGAL DESCRIPTION: T7N, R93W, parts of Sec. 14-16, 21 & 22. Also see map, Attachment #1.

APPLICANT: Rodney and Margaret Culverwell

### A. Describe the Proposed Action

Application of herbicides would be applied to control bull thistle, musk thistle, hoary cress (white top), and Dalmatian toadflax in rangeland and pasture areas. These weeds have increased over the past fifteen years and are becoming very invasive in rangeland areas. This weed control is adjacent to private land parcels and oil and gas sites that have active weed control programs. The applicant has an active grazing permit on this allotment and application would be made by a state certified private applicator. Herbicide application by the permittee would be coordinated with treatments by Moffat County Pest Management in the same area so as not to duplicate treated areas. Application methods include a hand sprayer and a tank sprayer in the bed of a pickup. Treatment area includes about 640 acres with approximately 100 being heavily infested and another 100 acres with lighter infestations.

The following chemicals and rates would be used in a tank mix.

Trade Name (Chemical)	Formulated Product Rate	%A.I. or A.E. in product	Application Rate (Chemical)
Low Vol 6 (2,4-D)	1 qt/acre	3.8 lb/gal a.e.	1.0 lb a.e./ac
Outpost (picloram)	1 pt/acre	2 lb/gal a.e.	0.25 lb a.e./ac
Escort (metsulfuron methyl)	1 oz./ac	60% a.i.	0.0375 lbs a.i./ac

All herbicide applications would conform with the stipulations in Attachment #2.

## **B. Land Use Plan (LUP) Conformance**

LUP Name: Little Snake Resource Management Plan and Record of Decision (ROD)

Date Approved: April 26, 1989

Final RMP/EIS, September 1986

Draft RMP/EIS, February 1986

Other Documents:

Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado

Date Approved: February 12, 1997

The Federal Land Policy and Management Act of 1976, as Amended (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement, December 1994.

The proposed action is in conformance with the decision of the RMP as weed control will occur in association with all surface disturbing activities and management of the public land. The action conforms with county land use plans.

## **C. Identify applicable NEPA documents and other related documents that cover the proposed action.**

*Vegetation Treatments on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) (June, 2007).*

Final Environmental Impact Statement (FEIS) *Vegetation Treatment on BLM Lands in Thirteen Western States* (June, 1991), and the *Colorado Record of Decision (ROD, July 1991).*

EA# CO-016-94-056 *Noxious Weed Treatment in the Little Snake Resource Area* (March 30, 1994) resulted in a Finding of No Significant Impact. This Environmental Assessment considered the options of Integrated Pest Management as outlined in the FEIS and adopted the standard operation procedures for vegetation treatment program implementation.

Amendment to EA# CO-016-94-056 *Noxious Weed Treatment in the Little Snake Resource Area* (May 4, 1994) expanded the use of herbicide application methods to include broadcast and aerial applications.

## **D. NEPA Adequacy Criteria**

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?**

Yes. There are no changes from the Proposed Action analyzed in 1994. The site includes all BLM land within the Little Snake Resource Area, congruent with pesticide use proposal stipulations (see Attachment #2). The Pesticide Use Proposals that are reviewed and approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications. The 2007 *PEIS* outlined Standard Operating Procedures and Mitigation Measures that are applicable to this proposal. Additionally, the *PEIS* prohibits aerial application of Sulfometuron methyl and limits aerial application of chlorsulfuron and metsulfuron methyl to areas with difficult land access, where no other means of application are possible.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?**

Yes. The density of some invasive noxious and undesirable plant species has been reduced in some areas, and although, noxious and undesirable weeds have been identified in new locations, there have been no changes in environmental concerns, interests or resource values since 1994.

**3. Is the existing analysis valid in light of any new information or circumstances?**

Yes. The Proposed Action would have no disproportionate impacts on minority populations or low income communities per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186.

**4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?**

Yes. The methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the current proposed action. Impacts to all resources were analyzed.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?**

Yes. Direct and indirect impacts of the current proposed action are unchanged from those identified in the existing NEPA documents. The Pesticide Use Proposals that are reviewed and approved based on the existing NEPA documents complete the site-specific analysis for these herbicide applications.

**6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?**

Yes. The cumulative impacts that would result from implementation of the proposed action would remain unchanged from those identified in the existing NEPA documents.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequately for the current proposed action?**

Yes. Extensive public outreach through scoping and involvement of the public and other agencies occurred in the development of the RMP/EIS. The appropriate individuals were contacted in 1994 and there have been no significant changes since.

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the preparation of this worksheet.

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Initials</b>	<b>Date</b>
Ole Olsen	Natural Resource Specialist	Air Quality, Floodplains Prime/Unique Farmlands, Water Quality – Surface	OO	6/29/09
Robyn Morris	Archaeologist	Cultural Resources, Native American Concerns	RWM	06/29/09
Barb Blackstun	Realty Specialist	Environmental Justice	BSB	06/22/09
Christina Rhyne	Rangeland Management Spec.	Hazardous Materials	CR	6/19/09
Christina Rhyne	Rangeland Management Spec.	Invasive Non-native Species	CR	6/19/09
Hunter Seim	Rangeland Management Spec.	Sensitive Plants, T&E Plant	JHS	7/6/09
Tim Novotny	Wildlife Biologist	T&E Animal	TMN	6/26/09
Jennifer Maiolo	Mining Engineer	Water Quality - Ground	JM	7/7/09
Ole Olsen	Natural Resource Specialist	Wetlands/Riparian Zones	OO	6/29/09
Gina Robison	Recreation Specialist	WSA, W&S Rivers	GMR	6/22/09
Tim Novotny	Wildlife Biologist	Animal Communities	TMN	6/26/09
Tim Novotny	Wildlife Biologist	Special Status, T&E Animal	TMN	6/26/09
Christina Rhyne	Rangeland Management Spec	Plant Communities	CR	6/19/09
Hunter Seim	Rangeland Management Spec	Special Status, T&E Plant	JHS	7/6/09
Ole Olsen	Natural Resource Specialist	Riparian Systems	OO	6/29/09
Ole Olsen	Natural Resource Specialist	Water Quality	OO	6/29/09
Ole Olsen	Natural Resource Specialist	Upland Soils	OO	6/29/09

**Land Health Assessment**

This action has been reviewed for conformance with the BLM's Public Land Health Standards adopted February 12, 1997. This action meets Public Land Health Standards. Land health assessments have been conducted in landscapes and watersheds within the Field Office Planning Area. Invasive plants, especially annuals weeds have been found to be a problem on many sites and once established are a threat to the herbaceous component of the plant communities.

## **Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

Signature of Lead Specialist \_\_\_\_\_ Date \_\_\_\_\_

Signature of NEPA Coordinator \_\_\_\_\_ Date \_\_\_\_\_

Signature of the Authorizing Official \_\_\_\_\_ Date \_\_\_\_\_

Note: The signed Conclusion on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

## **Attachment #2**

DOI-BLM-CO-N010-2009-0025-EA

### **BLM LSFO PUP Stipulations**

---

#### **General Stipulations:**

- All herbicide treatments on BLM administered lands will comply with applicable federal and state statutory and regulatory requirements.
  - Manufacturers label directions and guidelines, including but not limited to, application rates, uses, handling instructions, storage and disposal requirements, will be followed
  - All BLM procedures (BLM Handbook H-9011-1 Chemical Pest Control) and Manuals 1112 Safety, 9011 Chemical Pest Control, and 9015 Integrated Weed Management, and any other BLM requirements will be followed. Where more restrictive, BLMs requirements for rates, uses, and handling instructions will apply.
  - Only certified applicators, or those directly supervised by a certified applicator, may apply herbicide on BLM administered public lands.
- 

To ensure that risks to human health and the environment from herbicide treatments are kept to a minimum, and that all practicable means to avoid or minimize environmental harm have been adopted, the following will apply:

- All herbicide treatments will be consistent with the Standard Operating Procedures (SOPs) presented in the ROD of the 2007 Final *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement* (PEIS).
  - Measures to mitigate potential adverse environmental effects as a result of herbicide treatments as found in the ROD of the PEIS.
  - All conservation measures, designed to protect plants and animals listed or proposed for listing as threatened or endangered under the Endangered Species Act, as found in the Biological Assessment of the PEIS.
- 

#### **Cultural Resources Discovery**

The applicator is responsible for informing all persons who are associated with the operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any project activities, the operator is to immediately stop activities in the immediate vicinity of the find and immediately contact the authorized officer (AO) at (970) 826-5000.

Within five working days, the AO will inform the operator as to:

- Whether the materials appear eligible for the National Register of Historic Places;
- The mitigation measures the operator will likely have to undertake before the identified area can be used for project activities again; and
- Pursuant to 43 CFR 10.4(g) (Federal Register Notice, Monday, December 4, 1995, Vol. 60, No. 232) the holder of this authorization must notify the AO, by telephone at (970) 826-5000, and with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

#### **SOURCE:**

DOI-BLM-CO-N010-2009-0025-EA (4/2009)